

**EXEMPT FROM FILING FEE
[GOV. CODE § 6103]**

ENDORSED

FILED
SUPERIOR COURT, METROPOLITAN DIVISION
COUNTY OF KERN

AUG 17 2010

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BY _____ DEPUTY

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN
METROPOLITAN DIVISION, CIVIL**

ARVIN-EDISON WATER STORAGE
DISTRICT,

CASE NO. S-1500-CV-270726 NFT

Plaintiff,

vs.

ALL PERSONS INTERESTED IN THE
MATTER OF THE VALIDITY OF THAT
CERTAIN CONTRACT, ENTITLED
"UNITED STATES DEPARTMENT OF
INTERIOR, BUREAU OF
RECLAMATION, CENTRAL VALLEY
PROJECT, CALIFORNIA, CONTRACT
BETWEEN THE UNITED STATES AND
ARVIN-EDISON WATER STORAGE
DISTRICT PROVIDING FOR PROJECT
WATER SERVICE FROM FRIANT
DIVISION AND FOR FACILITIES
REPAYMENT," CONTRACT NO. 14-06-
200-229AD, OR IN THE PROCEEDINGS
LEADING UP TO, AND INCLUDING,
THE AUTHORIZATION OF THE
EXECUTION AND THE APPROVAL OF
SAID CONTRACT,

**[PROPOSED] JUDGMENT VALIDATING
AND CONFIRMING CONTRACT
BETWEEN THE UNITED STATES AND
ARVIN-EDISON WATER STORAGE
DISTRICT, AND RELATED
PROCEEDINGS**

[Wat. Code § 43730; Code Civ. Proc. § 860 *et seq.*]

Defendants.

Upon reading and considering the unopposed Ex Parte Application for Judgment of Plaintiff, ARVIN-EDISON WATER STORAGE DISTRICT ("DISTRICT"), requesting validation and confirmation of that certain contract entitled "UNITED STATES

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DEPARTMENT OF INTERIOR, BUREAU OF RECLAMATION, CENTRAL VALLEY PROJECT, CALIFORNIA, CONTRACT BETWEEN THE UNITED STATES AND ARVIN-EDISON WATER STORAGE DISTRICT PROVIDING FOR PROJECT WATER SERVICE FROM FRIANT DIVISION AND FOR FACILITIES REPAYMENT,” CONTRACT NO. 14-06-200-229AD (hereinafter referred to as the “Repayment Contract”), and the proceedings leading up to, and including the authorization of the execution and approval of said contract, all of which are more particularly described in the verified Complaint on file herein, and due proof having been made by satisfactory evidence submitted to the Court that the DISTRICT caused this action to be timely brought pursuant Code of Civil Procedure section 860 *et seq.*; that the Summons was duly issued and published in accordance with the requirements of Sections 861 and 861.1 of the Code of Civil Procedure and Section 6063 of the Government Code in the Arvin Tiller, a newspaper of general circulation published in the County of Kern and designated by this Court; that the Summons was also posted within three (3) public places within the boundaries of the DISTRICT, as required by this Court; that jurisdiction of the subject matter of this action and of all persons interested therein has been duly obtained by this Court and is complete pursuant to Code of Civil Procedure section 862; that no person has appeared in this action to contest the legality or validity of said Repayment Contract or any of the proceedings leading up to, and including, the authorization of the execution and approval of said contract; that the time for any interested person to appear and contest the legality or validity of such matters has expired; that the default of all defendants has been duly entered; and, upon application of the DISTRICT and satisfactory evidence presented in support thereof,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The proceedings leading up to, and including, the authorization of the execution and the approval of the Repayment Contract by the DISTRICT’s Board of Directors, are hereby validated and confirmed, and each and all provisions of the Repayment Contract are hereby approved, confirmed and declared lawful, valid and upon execution binding upon the respective parties thereto.

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2. All persons are permanently enjoined from the institution of any action or proceeding raising any issue as to which this judgment is binding and conclusive.

AUG 17 2010

Dated: _____

LINDA S ETIENNE

JUDGE OF THE SUPERIOR COURT

COURT COMMISSIONER